

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

In re:

Gaglio PR Cement Corporation

Case No: 10-49416

Chapter 11 (small business)

Debtor(s)/

ORDER DISMISSING CASE FOR FAILURE TO FILE DOCUMENTS

The Court is advised that the debtor has failed to timely file documents required under 11 U.S.C. § 1116(1). After further review, the Court has determined that the missing documents: **Balance Sheet, Cash Flow Statement, Income Tax Return, and Statement of Operations** have not been timely filed. Nor has a timely request for an extension been filed.¹

NOW, THEREFORE,

IT IS ORDERED that under L.B.R. 1007-1(a) (E.D.M.), this case is **DISMISSED**.

Signed on April 20, 2010

/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge

¹ On April 1, 2010, Debtor filed a motion for an extension of the deadline to file its “schedules, and related documents.” (Docket # 12). The motion is too vague to be considered a motion for an extension of the deadline to file the documents required of a small business debtor under Code § 1116(1). Furthermore, the motion (in the proposed order attached to the motion) requested an extension of time to file the schedules and unspecified “related documents” until April 19, 2010, which date has passed in any event. Debtor filed schedules and certain other papers on April 7, 2010 (Docket # 13), but has not filed the documents required by Code § 1116(1). Debtor’s designation in its petition that it is a small business debtor governs, unless and until the Court orders otherwise. *See* Fed.R.Bankr.P. 1020. The Clerk twice issued a notice of missing documents that listed the documents required by Code § 1116(1). (*See* Docket ## 1, 4).